

1 R. Joseph Trojan CA Bar No. 137,067
2 trojan@trojanlawoffices.com
3 TROJAN LAW OFFICES
4 9250 Wilshire Blvd., Suite 325
5 Beverly Hills, CA 90212
6 Telephone: 310-777-8399
7 Facsimile: 310-777-8348

8 Attorneys for Plaintiff,
9 PHOENIX SOLUTIONS, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PHOENIX SOLUTIONS, INC.

No. C 08-00863 EMC

Plaintiff(s),
v.
WELLS FARGO AND CO,

DECLINATION TO PROCEED BEFORE
A MAGISTRATE JUDGE
AND
REQUEST FOR REASSIGNMENT TO A
UNITED STATES DISTRICT JUDGE

Defendant(s).

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: 2/12/08

Signature /s/

Counsel for Plaintiff
(Plaintiff, Defendant, or indicate "pro se")

1 PROOF OF SERVICE
2

3 I am over the age of 18 years, employed in the County of
4 Los Angeles, and not a party to the above entitled action. My
5 business address is 9250 Wilshire Blvd., Suite 325, Beverly
6 Hills, California 90212.

7 On February 12, 2008, I served:
8

9 **DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR**
10 **REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

11 by transmitting to:
12

13 CORPORATION SERVICE COMPANY
14 2711 Centerville Rd., Ste. 400
15 Wilmington, DE 19808
16 Registered Agent for Service
17 For Defendant, WELLS FARGO AND CO.

18 [X] BY MAIL: I am readily familiar with the firm's practice of
19 collection and processing correspondence for mailing. Under
20 that practice it would be deposited with the U.S. Postal Service
21 on the same day with postage thereon fully prepaid at Beverly
22 Hills, California, in the ordinary course of business. I am
23 aware that on the motion of the party served, service is
24 presumed invalid if the postal cancellation date or postage
25 meter date is more than one day after the date of deposit for
26 mailing shown on this proof of service.

27 [X] FEDERAL: I declare, under penalty of perjury under the laws
28 of the United States that the foregoing is true and that I am
employed in the office of a member of the bar of this Court at
whose direction the service was made.

20 Executed on February 12, 2008, at Beverly Hills, California.
21

22 /s/
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24 Michiko Speier
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